

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

GD DEAL HOLDINGS, LLC

Plaintiff,

v.

SURINDER MULTANI; ABBE PROPERTIES, LLC; SAPPHIRE SUPPLY, LLC; JCG INVESTMENTS, LLC; ABBE CAPITAL AND LEASING, LLC; ABBE MANAGEMENT GROUP, LLC; FIFTH THIRD BANK; CITIBANK; VENDOR CAPITAL GROUP; BABAJIPS, LLC; CAPITAL ACCESS & INVESTMENTS, LLC; PETROZONE PETROLEUM II, INC.; G&S PORTAGE, INC.; SAFANPREET MULTANI, in his capacity as trustee for Gurpriya Kaur Multani Irrevocable Trust; GURPAP SINGH MULTANI IRREVOCABLE TRUST, and JAPVI SINGH MULTANI IRREVOCABLE TRUST,

Defendants.

Civil Action No. 08-CV-1722

Judge Elaine E. Bucklo

**DEFENDANT CITIBANK'S RESPONSE TO
PLAINTIFF'S MOTION FOR ORDER OF SALE**

Defendant Citibank ("Citibank"), by and through its attorneys, hereby files its response to Plaintiff GD Deal Holdings, LLC's ("GD Deal") Motion for Order of Sale. In response to GD Deal's Motion for Order of Sale, Citibank states as follows:

1. Citibank has no objection to an order directing the sale of the real property located at 24 Bright Ridge Road in Schaumburg, Illinois (the "Subject Premises") provided that this Court first enter an order establishing that Citibank's mortgage, secured by a note dated July 22,

2004 and recorded on August 9, 2004, on the Subject Premises takes priority over GD Deal's judgment lien against Surinder Multani recorded on October 9, 2007.

2. Citibank and GD Deal have agreed upon a Stipulation and Proposed Order establishing their respective lien priorities as described above. Said Stipulation and Proposed Order is attached hereto.

WHEREFORE, Citibank respectfully requests this Honorable Court enter the attached Stipulation and Proposed Order prior to entry of an order of sale of the Subject Premises.

Dated: July 11, 2008

Respectfully submitted,

/ s/ Nicole J. Highland

Lucia Nale

Diane R. Sabol (6298369)

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Attorneys for Defendant Citibank

CERTIFICATE OF SERVICE

I, Nicole J. Highland, an attorney, hereby certify that on July 11, 2008, I caused a true and correct copy of the foregoing **DEFENDANT CITIBANK'S RESPONSE TO PLAINTIFF'S MOTION FOR ORDER OF SALE**, to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/ s/ Nicole J. Highland

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Defendants.

Civil Action No. 08-CV-1722

Judge Elaine E. Bucklo

STIPULATION AND PROPOSED ORDER

This Stipulation and Proposed Order is made as of July 11, 2008, by and between Plaintiff GD Deal Holdings, LLC (“GD Deal”) and Defendant Citibank (“Citibank”) (GD Deal and Citibank are hereinafter collectively referred to as the “Parties”), and is recognized and intended by the Parties as a stipulation and order to be entered by the Court in the above captioned proceedings pending before Honorable Elaine E. Bucklo in the United States District Court for the Northern District of Illinois.

WHEREAS, the Parties are parties to the above captioned proceedings pending before this Court and wish to establish the priorities of their respective liens on the real property located at 24 Bright Ridge Road in Schaumburg, IL (the “Subject Premises”) prior to entry of any Order of Sale of the Subject Premises by this Court. This Stipulation and Proposed Order seeks only to establish the lien priorities as between GD Deal and Citibank and does not purport to resolve questions of lien priorities as between the Parties and any other person or entity, not a party to this Stipulation and order.

The Parties hereby agree and stipulate to the following:

(1) Citibank recorded its mortgage, secured by a note dated July 22, 2004, on the Subject Premises on August 9, 2004 with the Cook County Recorder of Deeds. Said mortgage and note are hereinafter referred to as "Citibank's Mortgage and Note."

(2) GD Deal recorded a judgment against Surinder Multani on October 9, 2007 with the Cook County Recorder of Deeds. Said judgment is hereinafter referred to as "GD Deal's Judgment Lien."

(3) Citibank's Mortgage and Note take priority over GD Deal's Judgment Lien.

(4) If any proceeds from the sale of Subject Premises will be distributed to either Citibank or GD Deal, the Parties agree that such proceeds will be distributed to Citibank to satisfy obligations secured by Citibank's Mortgage and Note prior to any distribution to GD Deal.

IN WITNESS WHEREOF, the Parties have caused this Stipulation and Proposed Order to be executed by their authorized representatives as of the date first written above.

GD DEAL HOLDINGS, LLC, Plaintiff

CITIBANK, Defendant

By: /s/ Thomas F. Falkenberg
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By: /s/ Nicole J. Highland
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Diane R. Sabol (6298369)
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Chicago, IL 60606-4637
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SO ORDERED

Judge Elaine E. Bucklo

Date: _____

CERTIFICATE OF SERVICE

I, Nicole J. Highland, an attorney, hereby certify that on July 11, 2008, I caused a true and correct copy of the foregoing **STIPULATION AND PROPOSED ORDER**, to be filed and served electronically via the court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Nicole J. Highland
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